

**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Jill Arabe, Planning Aide
DATE: July 9, 2008

SUBJECT: **CONDITIONAL USE PERMIT NO. 08-024 (PIEDMONT COVE PRIVACY GATE)**

LOCATION: 16284 Piedmont Circle, 92649 (Piedmont Circle, approximately 165 ft. east of Pacific Coast Highway - Piedmont Cove Residential Community)

Applicant: Wayne Carvalho, Michael C. Adams Associates, 21190 Beach Blvd.,
Huntington Beach, CA 92648

Property Owner: Jim Brownell, Piedmont Cove Property Owners Association, 16222 Piedmont Circle, Huntington Beach, CA 92649

Request: To permit a 30 ft. wide, seven (7) ft. high wrought iron vehicular privacy gate within Piedmont Circle, a private street.

Environmental Status: This request is covered by Categorical Exemption, Section 15303, Class 3, California Environmental Quality Act.

Zone: (Q) RM-CZ (Qualified Classification – Residential Medium Density – Coastal Zone)

General Plan: RM-15 (Residential Medium Density – 15 dwelling units/acre)

Existing Use: **Residential Community**

RECOMMENDATION: Denial based upon suggested findings for denial.

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303 of the CEQA Guidelines, because the proposed gate consists of new construction of an accessory structure.

SUGGESTED FINDINGS FOR DENIAL - CONDITIONAL USE PERMIT NO. 2008-024:

1. Conditional Use Permit No. 2008-024 for the establishment, maintenance and operation of a 30 ft. wide, seven ft. high wrought iron vehicular privacy gate will be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The vehicular privacy gate is located approximately 165 feet east of Pacific Coast Highway, within Piedmont Circle, a private street. The purpose of the privacy gate is to prohibit vehicles from entering the residential community to search for parking spaces. The paved vehicular access is approximately 20 feet wide and does not provide sufficient maneuvering area for a vehicle to turn-around if denied access. Unable to gain access into the community, a vehicle may have to backup 165 feet onto Pacific Coast Highway because the area available to turn-around within the narrow driveway is insufficient. Furthermore, the width of the main drive does not allow a second vehicle to pass if another vehicle is waiting for access to enter. In addition, the entry pin pad is located on the gate. A visitor may need to stop and exit the vehicle to operate the entry pin pad while leaving an unattended vehicle within the accessway obstructing access to and from the site. The proposed vehicular privacy gate may impact the safety of motorists and pedestrians at the intersection of Pacific Coast Highway and Piedmont Circle.
2. The conditional use permit will not be compatible with surrounding uses because the proposed vehicular privacy gate may adversely impact access to coastal resources. The gate creates a perception that the area is private and not open to the public. The gate is not designed with sufficient turn-around area, a conveniently located callbox on the driver's side of vehicles entering the site, and/or a bypass lane allowing vehicles to enter while another vehicle waits for access to the site. In addition, the development and vehicular privacy gate lack signage illustrating public access through the residential subdivision, as opposed to surrounding developments which provide signage illustrating public access to coastal resources. The privacy gate obstructs circulation through the subdivision and conceals the public access pathway.
3. The granting of the conditional use permit will adversely affect the General Plan. It is not consistent with the following land use goals and policies of the General Plan:
 - C 1.1.5 New residential development should be sited and designed in such a manner that it maintains and enhances public access to the coast.
 - C 2.6 Promote and provide, where feasible, additional public access, including handicap access, to the shoreline and other coastal resources.
 - C 2.7 Promote public awareness of existing access opportunities to coastal resources.
 - C 2.7.1 Maintain and enhance, where necessary, the coastal resource signing program that identifies public access points, bikeways, recreation areas and vista points throughout the Coastal Zone.

CE 2.3.1 Require development projects to mitigate off-site traffic impacts and pedestrian, bicycle, and vehicular conflicts to the maximum extent feasible.

The proposed vehicular privacy gate may deter the public from using the public access to coastal resources. While a walkway is available and open, the presence of a gate may deter pedestrians from passing. The gate creates a perception that the area is private and not open to the public. The encumbrance of a gate adversely impacts the circulation of the private street. Unable to gain access into the community, a vehicle may have to backup 165 feet onto Pacific Coast Highway because the area available to turn-around within the narrow driveway is insufficient. The proposed vehicular privacy gate may impact the safety of motorists and pedestrians at the intersection of Pacific Coast Highway and Piedmont Circle. Approval of the conditional use permit will not enhance public access to the coast. The gate may obstruct handicap access due to the location of the entry pin pad. Furthermore, the gate does not promote awareness to the existing public access to coastal resources.